



**Montana Fish,  
Wildlife & Parks**

## **PROPOSED**

### **Blackfoot River I-90 Bridge Reconstruction Closure Rules**

#### **I. PURPOSE**

(1) The purpose of the following rules is to address public safety concerns on the lower Blackfoot River associated with deconstruction and reconstruction of the I-90 bridges which span the Blackfoot River near Milltown.

(2) It may be necessary to intermittently close a portion of the lower Blackfoot River from Weigh Station Fishing Access Site to the confluence with the Clark Fork River over the next two years to assure public safety while Montana Department of Transportation (MDT) performs reconstruction work on the bridges.

#### **II. BLACKFOOT RIVER I-90 BRIDGE RECONSTRUCTION CLOSURE**

(1) The department may close the Blackfoot River to all public occupation and recreation including, but not limited to, floating, swimming, wading, and boating from Weigh Station Fishing Access Site to the confluence with the Clark Fork River when:

(a) MDT advises the Department that work may make public occupation and recreation on the river unsafe in the area of the I-90 bridges; and

(b) the department determines that it necessary to close the Blackfoot River.

(2) The department may reopen the Blackfoot River when:

(a) MDT indicates that conditions are safe; and

(b) the department determines the closure is no longer necessary.

(3) The department may intermittently open and close the Blackfoot River as deemed necessary during the construction period.

(4) This rule does not affect any rules that may be adopted to address unforeseen temporary, emergency situations.

#### **III. EXCEPTIONS TO RIVER CLOSURES**

(1) The general exceptions and applications identified in 12.11.505, ARM, apply to this rule.

#### **IV. EFFECTIVE DATE AND EXPIRATION OF THESE RULES**

(1) These rules are effective upon final approval of the commission.

(2) These rules expire two years after final approval of the commission.

(3) These rules may be amended or repealed upon approval of the commission.

(4) Prior to expiration, the commission may extend the effective date of these rules for no more than two years.

/s/ William Schenk  
Legal Review

/s/ Dan Vermillion  
Commission